



City of NORFOLK

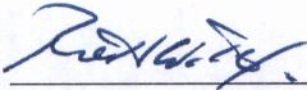
C: Dir., Public Works

To the Honorable Council
City of Norfolk, Virginia

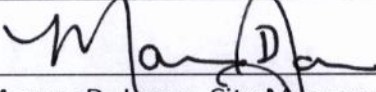
June 14, 2016

From: David L. Ricks, Director of Public Works

Subject: Encroach into the right-of-way of Boush Street and Grace Street with an underground footer and concrete flood wall

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved: 
Marcus D. Jones, City Manager

Item Number:

R-16

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** 749 Boush Street, LLC
749 Boush Street
Norfolk, Virginia 23510

III. **Description:**
This agenda item is an ordinance permitting 749 Boush Street, LLC to encroach into the right-of-way of Boush Street and Grace Street with an underground footer and concrete flood wall.

IV. **Analysis**
An encroachment is an object or structure that infringes into the City of Norfolk's (the "City's") rights-of-way or property. *Norfolk City Code*, § 42-10, requires all encroachments onto City rights-of-way or property to be approved by City Council. This encroachment in this location will allow 749 Boush Street, LLC to improve their existing footer and add flood protection.

V. **Financial Impact**
Liability insurance has been provided naming the City as additional insured in the amount of \$1,000,000; therefore, there should be no financial risk to the City. The City did not charge a fee for this encroachment.

VI. **Environmental**
N/A

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City's agenda notification process.

VIII. Board/Commission Action

The Department of Public Works and the City Attorney's Office have reviewed this request for encroachment and offer no objections. Review and approval by the Norfolk Design Review Committee and the City Planning Commission is not required.

IX. Coordination/Outreach

This letter has been coordinated with Department of Public Works, the Department of Planning and Community Development, and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A (2 sheets)

Form and Correctness Approved: *ZAO*

By *Alex G. Amico*
Office of the City Attorney

SPW
Contents Approved:

By *JA*
DEPT. Public Works

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE PERMITTING 749 BOUSH STREET, LLC TO ENCROACH INTO THE RIGHT-OF-WAY OF BOUSH STREET AND GRACE STREET WITH AN UNDERGROUND FOOTER AND CONCRETE FLOOD WALL.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to 749 Boush Street, LLC ("749") to encroach into the right-of-way at 749 Boush Street and Grace Street with an underground footer and concrete flood wall, as shown on Exhibit A attached hereto. Such permission being further subject to the following conditions:

- (1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation, 749, or its successors and assigns, shall immediately remove the encroaching structures.
- (2) That upon the removal of the encroaching structures or any part thereof, the authority hereby granted shall cease and terminate.
- (3) That 749, or its successors and assigns, at its own cost and expense, shall take out and keep in full force and effect during the term of the encroachment general liability insurance with a company authorized to do business in the Commonwealth of Virginia, insuring and naming the City of Norfolk ("City") as an additional insured in the amount of at least \$1,000,000.00 each occurrence and \$2,000,000.00 general aggregate against liability from claims, actions and suits that may be asserted or brought against the City and/or 749, and its successors and assigns, for any injury to, or death of any person or persons, or for any damage to, or destruction of property resulting from the installation, maintenance, or

existence of said encroaching structures, with evidence of such insurance being provided to the City.

- (4) That the City shall not be responsible for any damage to the encroaching structures, including replacement and reinstallation costs, resulting from the City's operation, maintenance, repair, or replacement of any utilities located in the right-of-way at the property address of 749 Boush Street.

Section 2:- That the failure of 749, or its successors and assigns, to fully comply with all requirements and conditions set forth herein shall act as an automatic revocation of the permission granted hereby.

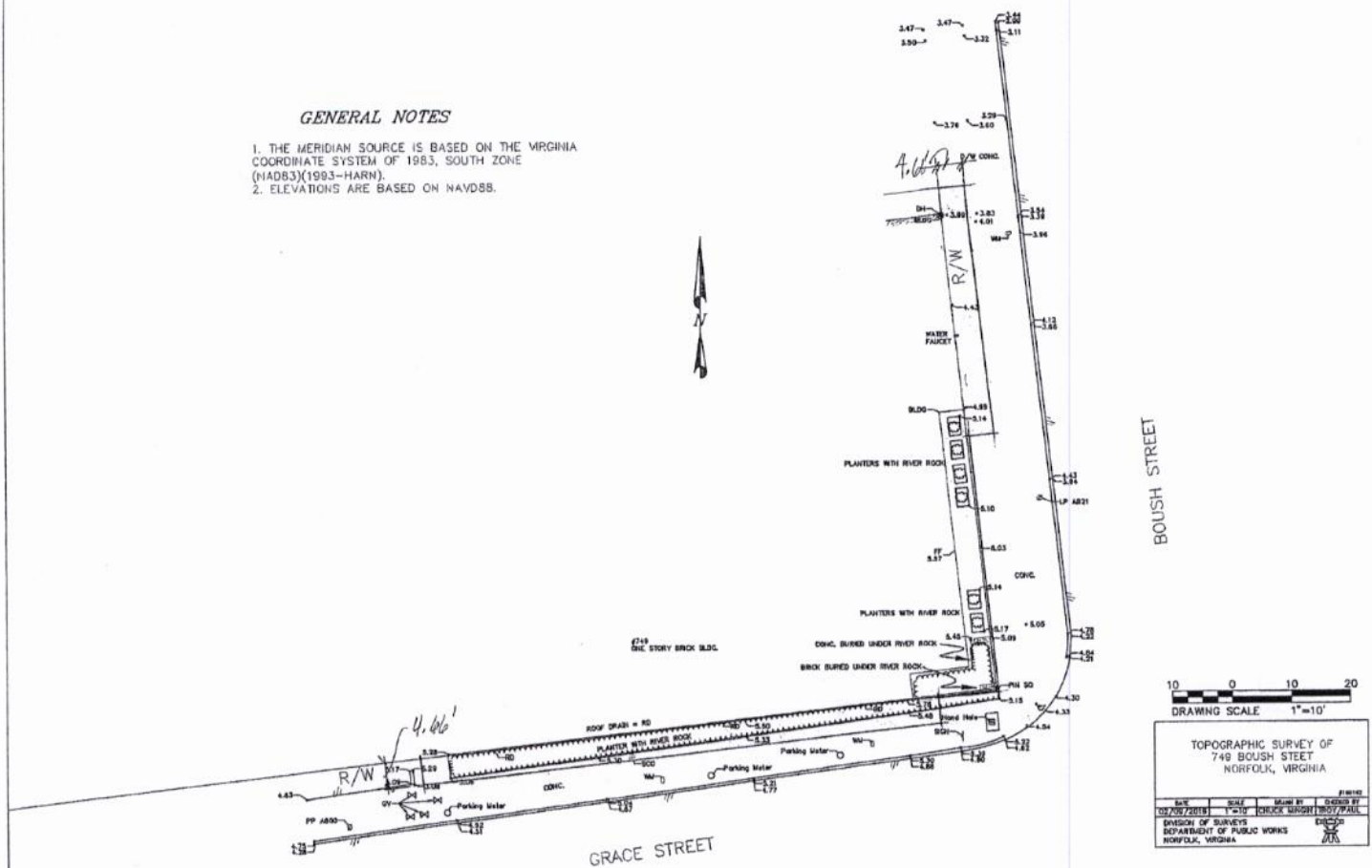
Section 3:- That the use of the said encroaching structures shall be deemed an acceptance by 749, and its successors and assigns, of all conditions to which the permissions herein are granted.

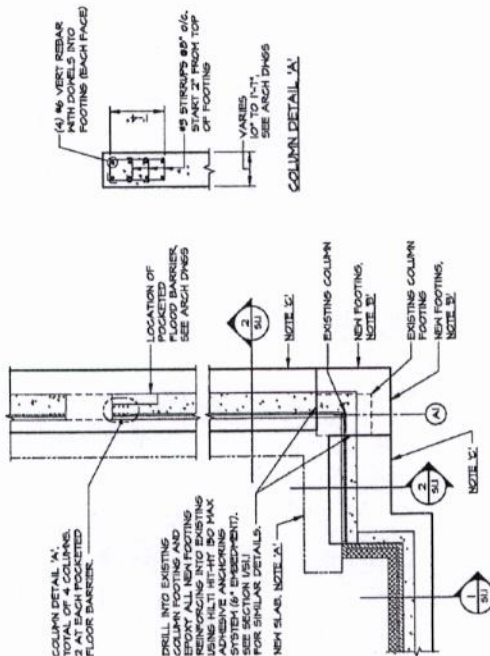
Section 4:- That this ordinance shall be in effect from and after its adoption.

EXHIBIT A TO ORDINANCE

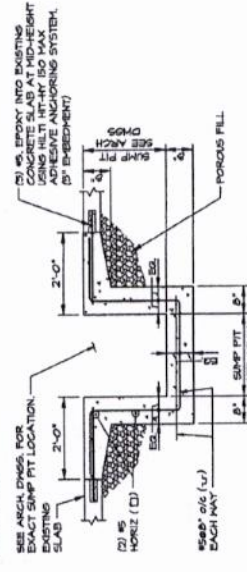
GENERAL NOTES

1. THE MERIDIAN SOURCE IS BASED ON THE VIRGINIA COORDINATE SYSTEM OF 1983, SOUTH ZONE (NAD83)(1993-HARN).
2. ELEVATIONS ARE BASED ON NAVD88.

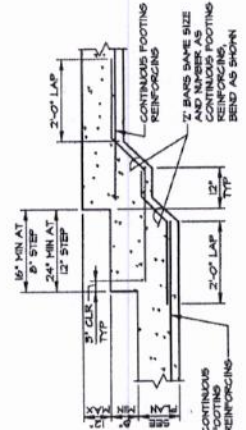




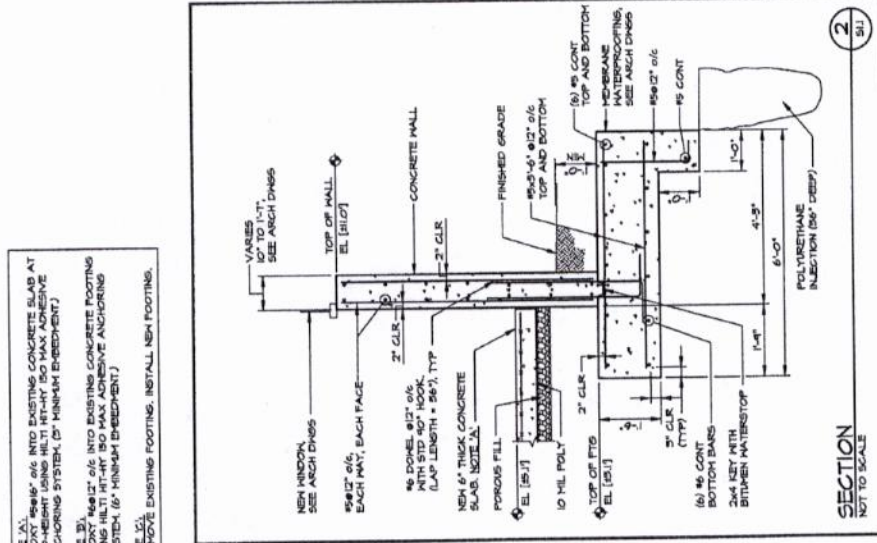
TIE IN AT BUILDING CORNER FOOTING
NOT TO SCALE



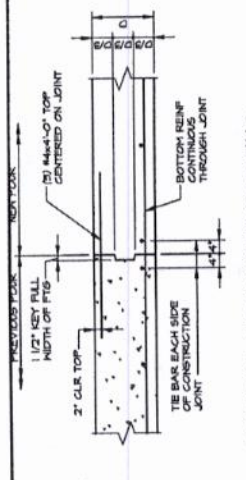
TYPICAL SUMP PIT DETAIL
NOT TO SCALE



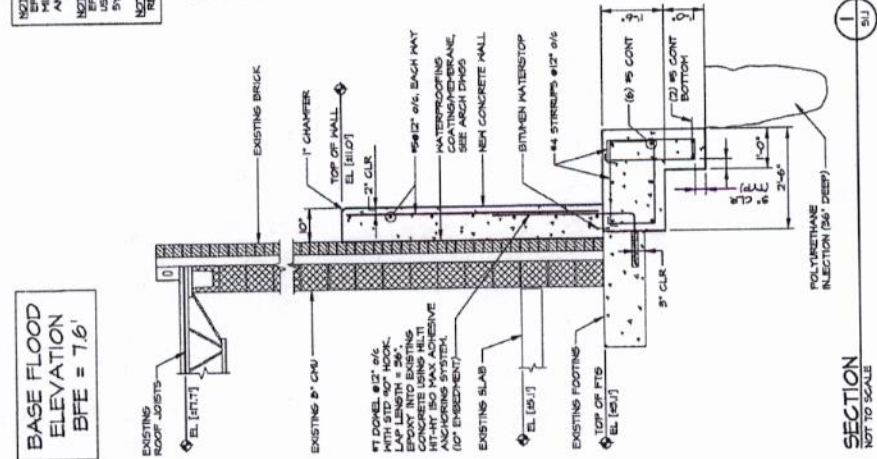
TYPICAL STEPPED FOOTING DETAIL
NOT TO SCALE



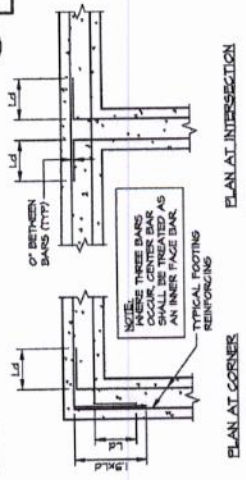
SECTION 2
NOT TO SCALE



TYPICAL CONCRETE FOOTING CONSTRUCTION JOINT DETAIL
NOT TO SCALE



SECTION 1
NOT TO SCALE



TYPICAL CONTINUOUS WALL FOOTING REINFORCING DETAILS
NOT TO SCALE

BASE FLOOD ELEVATION
BFE = 7.6'

